

**Presentment Date and Time: September 15, 2008 at 12:00 p.m. (prevailing Eastern Time)**  
**Objection Deadline: September 15, 2008 at 11:30 a.m. (prevailing Eastern Time)**

WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, New York 10153  
Telephone: (212) 310-8000  
Facsimile: (212) 310-8007  
Richard P. Krasnow

Attorneys for Debtors  
and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----x  
In re : Chapter 11 Case No.  
LEXINGTON PRECISION CORP., et al. : 08-11153 (MG)  
Debtors. : (Jointly Administered)  
-----x

**NOTICE OF PRESENTMENT OF STIPULATION AND AGREED  
ORDER BETWEEN DEBTORS AND THE PREPETITION SENIOR  
LENDERS DEEMING CLAIMS TIMELY FILED**

PLEASE TAKE NOTICE that the undersigned will present the annexed proposed Stipulation and Agreed Order (the “Proposed Stipulation”) between Lexington Precision Corporation and Lexington Rubber Group, Inc., as debtors and debtors in possession (collectively, the “Debtors”) and CapitalSource Finance LLC, as Revolver Agent to the Prepetition Revolver Lenders and CSE Mortgage LLC, as Term Loan Agent to the Senior Term Loan Lenders (collectively, the “Agents”) to the Honorable Martin Glenn, United States Bankruptcy Judge, for signature on **September 15, 2008 at 12:00 p.m. (prevailing Eastern time)**.

PLEASE TAKE FURTHER NOTICE that any objections or responses to the Proposed Stipulation, if any, must (a) be in writing; (b) conform to the Federal Rules of

Bankruptcy Procedure and the Local Rules for the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”); and (c) set forth the name of the objecting party, the basis for the objection, and the specific grounds therefore. Any objections or responses must be filed with the Bankruptcy Court no later than **September 15, 2008 at 11:30 a.m. (prevailing Eastern Time)**. In accordance with General Order M-242, registered users of the Bankruptcy Court’s case filing system must file their objections and responses electronically. General Order M-242 may be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov). All other parties-in-interest must file their objections and responses on a 3.5 inch disk (preferably in Portable Document Format (PDF), WordPerfect, or any other Windows-based word processing format) and deliver a hard copy directly to the chambers of Judge Martin Glenn.

PLEASE TAKE FURTHER NOTICE that all objections and responses must be served so as to be received no later than **September 15, 2008, at 11:30 a.m. (prevailing Eastern Time)**, upon: (a) the Debtors, Lexington Precision Corporation, 800 Third Ave. 15th Floor, New York, New York 10023 (Attn: Michael A. Lubin), (b) the attorneys for the Debtors, Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, New York 10153 (Attn: Richard P. Krasnow and Victoria Vron); (c) the Office of the United States Trustee for the Southern District of New York, 33 Whitehall Street, 21st Floor, New York, New York 10004 (Attn: Paul Schwartzberg); (d) the attorneys for the Agents, Waller, Lansden, Dortch & Davis LLP, 511 Union Street, Suite 2700, Nashville, Tennessee, 37219 (Attn: John C. Tishler); (e) the attorneys for the official creditors’ committee of unsecured creditors, Andrews Kurth LLP, 450 Lexington Avenue, New York, New York 10017 (Attn: Paul Silverstein); and (f) the attorneys for Debtors’ postpetition lenders, O’Melveny & Meyers, LLP, Times Square Tower, 7 Times Square, New York, New York 10036 (Attn: Gerald Bender).

PLEASE TAKE FURTHER NOTICE that if a written objection is timely filed, a hearing will be held at the United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004, at a date and time to be established by the Court. The moving and objecting parties are required to attend the hearing, and failure to appear may result in relief being granted or denied upon default.

Dated: September 5, 2008  
New York, New York

/s/ Richard P. Krasnow  
Richard P. Krasnow  
WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, New York 10153  
Telephone: (212) 310-8000  
Facsimile: (212) 310-8007

Attorneys for Debtors  
and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----x  
:  
**In re** : **Chapter 11 Case No.**  
:  
**LEXINGTON PRECISION CORP., et al.,** : **08-11153 (MG)**  
:  
**Debtors.** : **(Jointly Administered)**  
:  
-----x

**STIPULATION AND AGREED ORDER BETWEEN DEBTORS AND THE  
PREPETITION SENIOR LENDERS DEEMING CLAIMS TIMELY FILED**

By and through the undersigned attorneys, Lexington Precision Corporation and Lexington Rubber Group, Inc., as debtors and debtors in possession (collectively, the “Debtors”) and CapitalSource Finance LLC, as Revolver Agent<sup>1</sup> to the Prepetition Revolver Lenders and CSE Mortgage LLC, as Term Loan Agent to the Senior Term Loan Lenders (collectively, the “Parties”), hereby agree and stipulate to the following matters:

**RECITALS:**

A. On June 30, this Court entered that certain Order Pursuant to Bankruptcy Rules 2002(A)(7), (F), and (L) and 3003(C)(3) and Section 502(B)(9) of the Bankruptcy Code Establishing Deadlines for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereof (the “Bar Date Order”), which required proofs of claim to be delivered to the Debtors’ claims processing agent prior to 5:00 p.m. (eastern time) on Friday August 15, 2008, at the following address: Lexington Precision Claims Processing Center, c/o Epiq Bankruptcy Solutions, LLC, 757 3rd Avenue, 3rd Floor, New York, New York 10017 (the “Claims Address”).

---

<sup>1</sup> Capitalized terms not defined herein shall have the meaning ascribed to them in that certain Final Order Pursuant to Bankruptcy Code Sections 105, 361, 362, 363, 364 (I) Authorizing Debtors to Use Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Lenders, and (III) Authorizing Pospetition Financing, dated April 17, 2008 [Docket No. 61].

B. Pursuant to the Prepetition Senior Lender Loan Documents, the Agents are vested with the authority to act on behalf of the Prepetition Senior Lenders. On August 13, 2008, the following proofs of claim, with original signatures (collectively, the “Claims”), were submitted by the Agents for shipment by overnight delivery via Federal Express to the Claims Address, proof of which is attached hereto as Exhibit A:

- (i) Prepetition Revolver Lenders’ claim against Debtor Lexington Precision Corp. (Case No. 08-11153) submitted by the Revolver Agent;
- (ii) Prepetition Revolver Lenders’ claim against Debtor Lexington Rubber Group, Inc. (Case No. 08-11156) submitted by the Revolver Agent;
- (iii) Claim of CSE Mortgage LLC (“CSE”), as a lender, and DMD Special Situations Funding LLC, (“DMD”), as a lender (DMD and CSE, as lenders, the “Prepetition Term Lenders”) against Lexington Precision Corp. (Case No. 08-11153) submitted by the Term Loan Agent; and
- (iv) Prepetition Term Lenders’ claim against Lexington Rubber Group, Inc. (Case No. 08-11156) submitted by the Term Loan Agent.

C. In addition, on August 14, 2008, counsel to the Agents also forwarded pdf scans of the Claims to counsel to the Debtors.

D. The Agents subsequently became aware that shipment of the original Claims, despite proper addressing of the package by the Agents to the Claims Address, was not completed by Federal Express. Upon learning that the shipment was not delivered, counsel to the Agents immediately informed counsel to the Debtors of the delivery failure and sought confirmation of where to submit the Claims.

E. As instructed by the Debtors, the Agents resubmitted the Claims for delivery to the Claims Address, proof of which is attached hereto as Exhibit B.

F. The parties determined to enter into this stipulation to avoid litigation costs regarding the timeliness of the filing of the Claims.

**AGREEMENT:**

1. The Claims of the Prepetition Senior Lenders are hereby deemed timely filed in compliance with the Bar Date Order, and the Claims shall not be subject to any objection by the Debtors or any party in interest on the basis that they were not timely filed.

Dated: September 4, 2008  
New York, New York

WEIL, GOTSHAL & MANGES LLP

/s/ Richard P. Krasnow

Richard P. Krasnow  
767 Fifth Avenue  
New York, New York 10153  
Telephone: (212) 310-8000  
Facsimile: (212) 310-8007

Attorneys for the Debtors and Debtors in Possession

WALLER LANSDEN DORTCH & DAVIS LLP

/s/ Robert J. Welhoelter

John C. Tishler  
Robert J. Welhoelter  
511 Union Street, Suite 2700  
Nashville, Tennessee 37219-8966  
Telephone: (615) 244-6380  
Fax: (615) 244-6804

and

CARTER LEDYARD & MILBURN LLP

/s/ Aaron R. Cahn

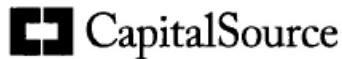
Aaron R. Cahn  
2 Wall Street  
New York, New York 10005  
TEL: (212) 238-8629  
FAX: (212) 732-3232

Attorneys for the Agents

SO ORDERED, this  
\_\_\_\_ day of September, 2008

UNITED STATES BANKRUPTCY JUDGE

**Exhibit A**



4445 Willard Avenue  
Twelfth Floor  
Chevy Chase, MD 20815  
tel: 301.841.2700  
capitalsource.com

**ANGELA DISOMMA**  
Paralegal – Restructuring Group  
direct: 301.634.6756 | fax: 301.841.2380  
[adisomma@capitalsource.com](mailto:adisomma@capitalsource.com)

August 13, 2008

**VIA FEDERAL EXPRESS**

Lexington Precision Claims Processing Center  
c/o Epiq Bankruptcy Solutions, LLC  
757 3rd Avenue, 3rd Floor  
New York, New York 10017

**Re: Lexington Precision Corporation/Lexington Rubber Group, Inc. - Chapter 11**

To Whom It May Concern::

Attached please find the following Proofs of Claim:

Debtor: Lexington Precision Corporation; Creditor: Capitalsource Finance LLC - Case No. 08-11156;  
Debtor: Lexington Rubber Group, Inc.; Creditor: CSE Mortgage LLC - Case No. 08-11156;  
Debtor: Lexington Precision Corporation; Creditor: Capitalsource Finance LLC - Case No. 08-11153; and  
Debtor: Lexington Rubber Group, Inc.; Creditor: CSE Mortgage LLC - Case No. 08-11156

Should you have any questions, please do not hesitate to contact me at (301) 634-6756.

Sincerely,  
  
Angela DiSomma  
Paralegal

Enclosures

Page 1 of 1

From: Origin ID: GAIA (301)634-6756  
Angela DiSomma  
CapitalSource  
4445 Willard Avenue  
12th Floor  
Chevy Chase, MD 20815



Ship Date: 13AUG08  
ActWgt: 5 LB  
System#: 4016692/INET8061  
Account#: S \*\*\*\*\*

Delivery Address Bar Code



SHIP TO: 301-634-6779 BILL SENDER  
c/o Epiq Bankruptcy Solutions, LLC  
Lexington Precision Claims Prcsng  
757 3rd Avenue, 3rd Floor

New York, NY 10017



TRK# 7984 9567 6386 0201 THU - 14AUG A1  
STANDARD OVERNIGHT

RELEASE#: 3785346

ZB OGSA

10017  
NY-US  
EWR

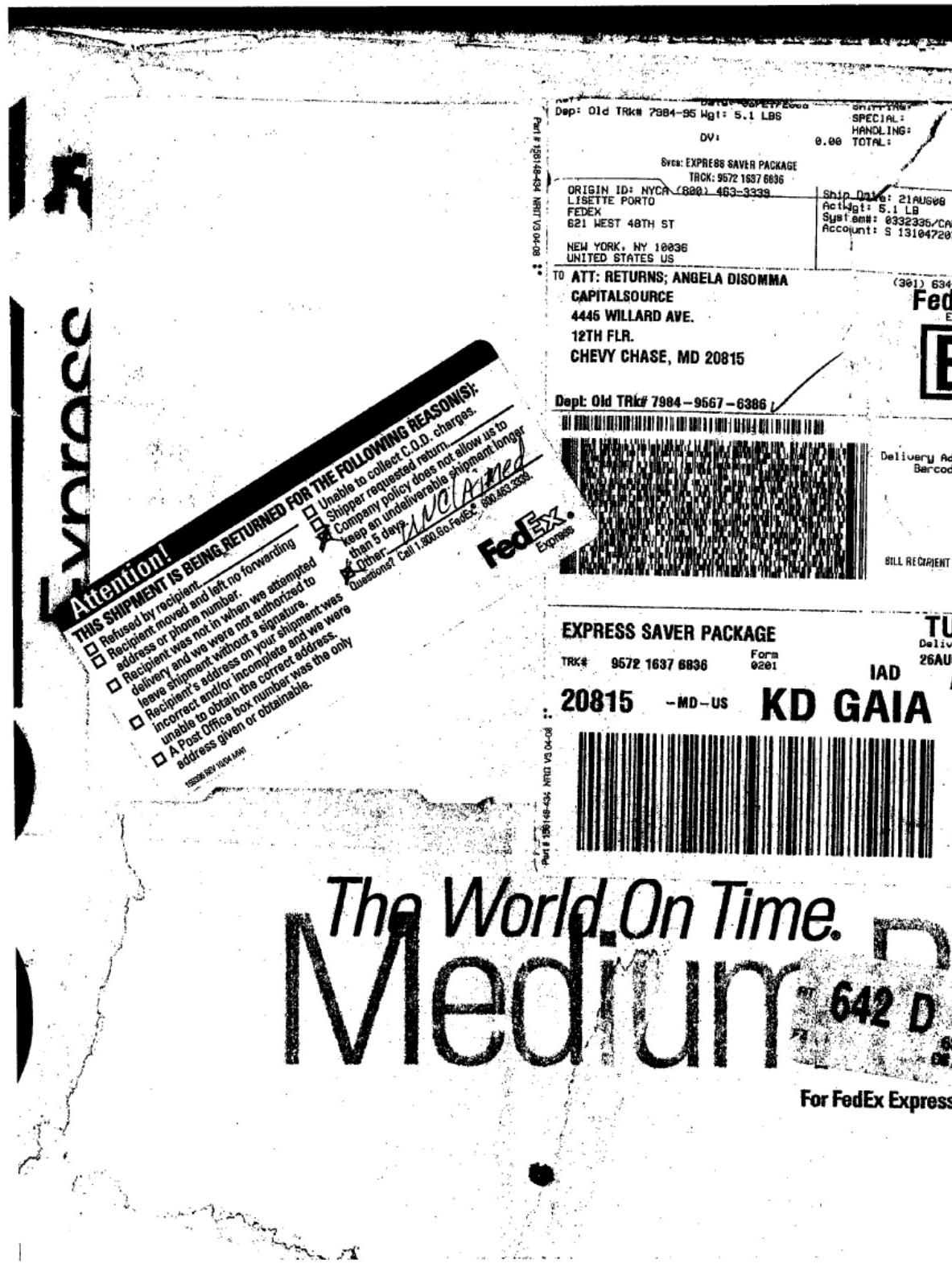


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Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on [fedex.com](http://fedex.com). FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.



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Track Shipments/FedEx Kinko's  
Orders  
Detailed Results



Tracking number	798495676386	Reference	Lexington Precision
Ship date	Aug 13, 2008	Destination	New York, NY
		Service type	Standard Box
		Weight	5.0 lbs.

Status	Delivery exception
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Date/Time	Activity	Location	Details
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Aug 20, 2008 7:52 PM	At local FedEx facility	NEW YORK, NY	
Aug 19, 2008 7:42 PM	At local FedEx facility	NEW YORK, NY	
Aug 18, 2008 4:51 PM	At local FedEx facility	NEW YORK, NY	
Aug 16, 2008 9:59 AM	At local FedEx facility	NEW YORK, NY	
Aug 15, 2008 4:07 PM	At local FedEx facility	NEW YORK, NY	
Aug 14, 2008 6:08 PM	At local FedEx facility	NEW YORK, NY	
	8:08 AM	Delivery exception	NEW YORK, NY
	7:50 AM	At local FedEx facility	NEW YORK, NY
	5:38 AM	Departed FedEx location	NEWARK, NJ
	12:01 AM	Arrived at FedEx location	NEWARK, NJ
Aug 13, 2008	Left FedEx origin facility	ROCKVILLE, MD	
6:05 PM	Picked up	ROCKVILLE, MD	
3:56 PM	Package data transmitted to FedEx		

E-mail results

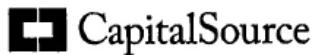
Track more shipments/orders

Subscribe to tracking updates (optional)

Your name:

Your e-mail address:

**Exhibit B**



4445 Willard Avenue  
Twelfth Floor  
Chevy Chase, MD 20815  
tel: 301.841.2700  
capitalsource.com

**ANGELA DISOMMA**  
Paralegal – Restructuring Group  
direct: 301.634.6756 | fax: 301.841.2380  
[adisomma@capitalsource.com](mailto:adisomma@capitalsource.com)

August 13, 2008 Resending August 27, 2008

**VIA FEDERAL EXPRESS**

Lexington Precision Claims Processing Center  
c/o Epiq Bankruptcy Solutions, LLC  
757 3rd Avenue, 3rd Floor  
New York, New York 10017

**Re: Lexington Precision Corporation/Lexington Rubber Group, Inc. - Chapter 11**

To Whom It May Concern:

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Debtor: Lexington Precision Corporation; Creditor: Capitalsource Finance LLC - Case No. 08-11153; and  
Debtor: Lexington Rubber Group, Inc.; Creditor: CSE Mortgage LLC - Case No. 08-11156

Should you have any questions, please do not hesitate to contact me at (301) 634-6756.

Sincerely,

A handwritten signature in black ink, appearing to read "AD".

Angela DiSomma  
Paralegal

Enclosures

Page 1 of 1

From: Origin ID: GAIA (301)634-6756  
Angela DiSomma  
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Chevy Chase, MD 20815



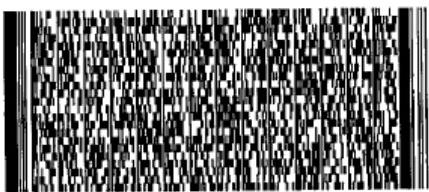
Ship Date: 27AUG08  
ActWgt: 10 LB  
System#: 2939650/INET8061  
Account#: S \*\*\*\*\*

Delivery Address Bar Code



Ref # Lexington Precision  
Invoice #  
PO #  
Dept # 4

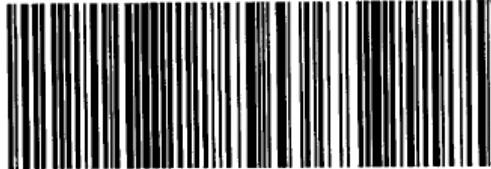
SHIP TO: (646) 282-2500 BILL SENDER  
**Lexington Precision Claims Prcsng**  
c/o Epiq Bankruptcy Solutions LLC  
757 3rd Avenue  
3rd Floor  
New York, NY 10017



THU - 28AUG A1  
TRK# 7993 6769 6690 0201 STANDARD OVERNIGHT

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Page 1 of 1

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Detailed Results

Tracking number	799367696690	Reference	Lexington Precision
Signed for by	J.SANCHEZ	Department number	4
Ship date	Aug 27, 2008	Destination	New York, NY
Delivery date	Aug 28, 2008 2:02 PM	Delivered to	Mailroom
		Service type	Standard Box
		Weight	10.0 lbs.

Status Delivered

Signature image available [Yes](#)

Date/Time	Activity	Location	Details
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	8:00 AM On FedEx vehicle for delivery	NEW YORK, NY	
	7:55 AM At local FedEx facility	NEW YORK, NY	
	5:21 AM Departed FedEx location	NEWARK, NJ	
	12:30 AM Arrived at FedEx location	NEWARK, NJ	
Aug 27, 2008	9:25 PM Left FedEx origin facility	ROCKVILLE, MD	
	6:08 PM Picked up	ROCKVILLE, MD	
	4:30 PM Package data transmitted to FedEx		

[Signature proof](#) [E-mail results](#) [Track more shipments/orders](#)

Subscribe to tracking updates (optional)

Your name:

Your e-mail address:

E-mail address	Language	Exception updates	Delivery updates
<input type="text"/>	English <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	English <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	English <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	English <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Select format:  HTML  Text  Wireless

Add personal message:

Not available for Wireless or  
non-English characters.

By selecting this check box and the Submit button, I agree to these [Terms and Conditions](#)